

Exhibit 16

Exhibit 16

In the Matter Of:

O'doan vs. City of Reno

JAMES O'DOAN

January 22, 2018

Job Number: 446248

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
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JAMES O'DOAN,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
RENO POLICE OFFICER JOSHUA	:	Case No.:
SANFORD, RENO POLICE OFFICER	:	3:17-CV-00293-LRH-
CADE LEAVITT, and THE CITY OF	:	VPC
RENO, a political subdivision	:	
of the State of Nevada; and	:	
JOHN DOES I through X,	:	
inclusive,	:	
	:	
Defendants.	:	

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DEPOSITION OF
JAMES O'DOAN
MONDAY, JANUARY 22, 2018
RENO, NEVADA

JOB NO.: 446248

Reported by: CAROL HUMMEL, RPR, CCR #340

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APPEARANCES

FOR THE PLAINTIFF:
LUKE BUSBY, ESQ.
Attorney at Law
316 California Avenue, Suite 82
Reno, Nevada 89509

FOR THE DEFENDANTS:
MARK A. HUGHS ESQ.
Deputy City Attorney
One East First Street, Third floor
Reno, Nevada 89505

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I N D E X

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EXAMINATION BY:

PAGE

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Mr. Hughs

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Mr. Busby

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10 EXHIBITS:

11 1 - Document of Christopher Patin, MD
COR000358

68

12 2 - Four-page document from Saint Mary's
Medical Group

71

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14 3 - Five-page document, Indian Springs

133

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16 4 - Four color photographs COR249-252

137

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18 5 - Function Report

149

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20 Exhibits 1, 2 and 5 are confidential documents.

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1 BE IT REMEMBERED that on MONDAY the 22nd day
2 of JANUARY, 2018, at the hour of 9:45 A.M., of said day,
3 at the offices of RENO CITY ATTORNEY, One East First
4 Street, Third Floor, Reno, Nevada, before me, CAROL
5 HUMMEL, a notary public, personally appeared JAMES O'DOAN,
6 who was by me first duly sworn, and was examined as a
7 witness in said cause.

8 -oOo-

9

10 JAMES O'DOAN

11 having been sworn, testified as follows:

12 E X A M I N A T I O N

13 BY MR. HUGHS:

14 Q We're ready to go.

15 Mr. O'Doan, would you please state your full
16 name.

17 A James Maurice O'Doan, III.

18 Q Will you please spell your last name.

19 A James, J-a-m-e-s. Maurice, M-a-u-r-i-c-e,
20 O-'-D-o-a-n.

21 Q Have you ever had your deposition taken
22 before?

23 A No, this is the first time.

24 Q I'm going to go over some of the ground rules.

25 The oath that you just took is the same oath

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1 Q What do you mean by "being arrested"?

2 A There was -- when I was sitting there, the
3 officer came into the room. And I was -- I thought I was
4 going home. And I said, so what's going on? He goes,
5 well, you're being arrested. Okay. You have to be
6 kidding me.

7 Q Is that what you said?

8 A I think so, yeah.

9 Q Which officer was it?

10 A I don't know.

11 Q Was it one of the officers you're suing?

12 A I don't know.

13 Q You remember from being at their depositions
14 what Officer Sanford looked like, right?

15 A Yes.

16 Q And you remember being at the depositions what
17 Officer Leavitt looks like, right?

18 A Yes.

19 Q But you don't know what the officer who
20 arrested you looked like?

21 A No.

22 Q When you say he arrested you, what did he do?

23 A He handcuffed me and told me I was going to
24 jail.

25 Q Did he tell you what for?

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1 A I don't believe at that time he did, no.

2 Q I want to talk more about your arrest.

3 But first, did you ever see Officer Sanford at
4 the hospital?

5 A I can't remember.

6 Q Did you ever see Officer Leavitt at the
7 hospital?

8 MR. BUSBY: Objection. Asked and answered to
9 the previous question. Go ahead.

10 BY MR. HUGHS:

11 Q Let's get back to you say you were arrested at
12 the hospital. Then what happened?

13 A I was put in the back of a paddy wagon.

14 Q What's a paddy wagon?

15 A The police vehicle that transports prisoners,
16 I guess.

17 Q So how many other people were in the, what you
18 are calling a paddy wagon?

19 A Started out with just me.

20 Q And they put you in. What did they do with
21 you when they put you in?

22 A They shut the door.

23 Q Do they leave you standing there or what did
24 they do?

25 A There is a seat in the back.

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1 A I can remember sitting there, and in a
2 hospital gown. I believe there was people there, but I
3 don't know how many.

4 **Q Can you tell me for sure there were people in**
5 **there?**

6 MR. BUSBY: Objection. Asked and answered.

7 THE WITNESS: No.

8 BY MR. HUGHS:

9 **Q Then what happened?**

10 A I was taken to the shower area, showered,
11 given clothes, and taken to my cell.

12 **Q Did you have anyone else in your cell with**
13 **you?**

14 A No.

15 **Q How long were you in the cell?**

16 A I don't know.

17 **Q When you're postseizure, is your sense of time**
18 **normal?**

19 A No.

20 **Q What's it like?**

21 A I have a hard time recalling what has happened
22 in the near -- in the recent future. After having a
23 seizure I have a hard time recalling what happened. I can
24 take out points, like little things that I -- some things
25 I can remember, some things I can't.

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1 MR. BUSBY: Same objection.

2 THE WITNESS: Yes.

3 BY MR. HUGHS:

4 Q How did you get out of jail?

5 A I got bailed out.

6 Q Who bailed you out?

7 A My mother.

8 Q Do you remember your mother bailing you out?

9 A I remember her being there and picking me up.

10 Q What time did she pick you up?

11 A I don't know.

12 Q What day did she pick you up?

13 A The specific date?

14 Q Yes.

15 A I don't remember.

16 Q Was it the next day or a week later?

17 A It was the next day.

18 Q Was it afternoon or morning?

19 A I don't know.

20 Q Was it nighttime?

21 A No.

22 Q So she picked you up while there was daylight?

23 A Yes.

24 Q Where did she take you?

25 A She took me home.

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1 STATE OF NEVADA)

2) ss.

3 COUNTY OF WASHOE)


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5 I, CAROL HUMMEL, a notary public in and for
6 the County of Washoe, State of Nevada, do hereby certify:

7 That at 9:45 A.M., on MONDAY, the 22nd day of
8 January, 2018, at the offices of RENO CITY ATTORNEY, One
9 East First Street, Third floor, Reno, Nevada, personally
10 appeared JAMES O'DOAN who was sworn by me and was deposed
11 in the matter entitled herein;

12 That said transcript which appears
13 hereinbefore was taken in verbatim stenotype notes by me,
14 a Certified Court Reporter, and thereafter reduced to
15 writing by means of computer-assisted transcription as
16 herein appears;

17 That the foregoing transcript, consisting of
18 Pages 1 through 183, inclusive, is a full, true and
19 correct transcription of my stenotype notes of said
20 proceedings;

21 I further certify that I am not an attorney or
22 counsel for any of the parties, nor a relative or employee
23 of any attorney or counsel connected with the action, nor
24 financially interested in the action. 

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CAROL HUMMEL, CCR #340